MINUTES OF MEETINGS

OF THE

ISTHMIAN CANAL COMMISSION

JANUARY–DECEMBER

1909

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MINUTES OF MEETINGS OF THE ISTHMIAN CANAL COMMISSION.

ONE HUNDRED AND FIFTIETH MEETING.

CULEBRA, CANAL ZONE, *January 27, 1909.*

The Commission met at the call of the Chairman at 2.30 o'clock p. m.

Present: Commissioners Goethals (Chairman), Hodges, Gaillard, Sibert, Rousseau, Blackburn, Gorgas, and Secretary Bishop.

The minutes of the one hundred and forty-ninth meeting were read and approved.

1. The Chairman read the following Executive Orders, which were ordered to be spread upon the minutes:

EXECUTIVE ORDER.

Under authority vested in me by law, it is ordered:

1. The requirements of the act of Congress, relating to the use on trains of certain described and approved driving-wheel and train brakes, couplers, hand holds, and drawbars of required height for freight cars, approved March 2, 1893 (contained in 27 Statutes at Large, p. 531), and known as "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," as amended by an act approved April 1, 1896 (contained in 29 Statutes at Large, p. 85), and as amended by an act approved March 2, 1903 (contained in 32 Statutes at Large, p. 943), shall be extended to apply to that zone in the Republic of Panama mentioned and described in section 2 of the act of Congress dated June 28, 1902, and entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," and commonly known as the "Canal Zone."

2. The various appliances for the protection of trainmen on freight train cars with reference to running boards, ladders, sill steps, roof hand holds, and the position of brake shafts, as designated in the existing standards of the Master Car Builders' Association in the United States, shall be used by all carriers in the aforementioned Canal Zone.

3. The equipment and appliances required to be used in sections 1 and 2 of this order shall be constantly and at all times maintained in good and working order, by any and all railroads engaged in the business of a common carrier and operating in the aforementioned Canal Zone.

4. In particular, sections 1, 2, and 3 of this order shall be carefully observed and obeyed by the Panama Railroad, a carrier operating in the said Canal Zone.

5. All railroads operated and cars used by the Government of the United States within navy-yards, arsenals, military reservations, government wharves, and any and all other territories under the jurisdiction of the United States, shall be equipped with

the safety appliances required in the safety appliance acts mentioned and described in section 1 of this order, and in the codes of rules mentioned and described in section 2 of this order, and said equipment and appliances shall at all times be maintained in good and working order.

6. This order shall take effect not later than six months from the date of the promulgation thereof.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 6, 1909.*

EXECUTIVE ORDER.

By authority of the President it is ordered:

That the Executive Order of February 8, 1908, restricting the personnel of gold employees to American citizens be amended to read as follows:

On and after this date the employment by the Isthmian Canal Commission of skilled laborers, clerks, and all others who have heretofore been known as gold employees of the commission shall be restricted to American citizens and citizens of Panama, except where American or Panamanian labor or service of the character required is not available.

Foreign employees now upon the pay rolls of the commission shall not be affected by this order, save in the event of any reduction of force preference shall be accorded to American citizens and citizens of Panama.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., December 23, 1908.

2. Upon the recommendation of the head of the Department of Civil Administration, it was—

Resolved, That the application submitted by Louis H. Cavailler, pursuant to the provisions of section 14 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, for authority to transfer to Fred Darnard his license for the sale of intoxicating liquors at retail, in the town of Empire, be approved.

3. Upon the recommendation of the head of the Department of Civil Administration, it was—

Resolved, That the application submitted by Wing Wo Tai, pursuant to the provisions of section 14 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, for authority to transfer to B. Duboski his license for the sale of intoxicating liquors at retail, in the town of Gatun, be approved.

4. Upon the recommendation of the head of the Department of Civil Administration, it was—

Resolved, That the application submitted by R. S. Brady, pursuant to the provisions of section 14 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, for authority to transfer to Prudencio San Martin his license for the sale of intoxicating liquors at retail, in the town of Gatun, be approved.

5. Upon the recommendation of the head of the Department of Civil Administration, it was—

Resolved, That Pedro Ros, the holder of license No. 48, at Empire, be permitted to remove his saloon from the room now occupied into an adjoining room of the same building.

6. Upon the recommendation of the head of the Department of Civil Administration it was—

Resolved, That Wong You Kee, holder of liquor license No. 39 on the French Dump at Culebra, be permitted to remove his saloon from the building in which it is now located to house No. 662 on the same dump.

7. Upon the recommendation of the head of the Department of Civil Administration it was—

Resolved, That the application submitted by Wing Hing Sanchez, pursuant to the provisions of section 14 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, for authority to transfer to Chow Bing & Co. his license for the sale of intoxicating liquors at retail, in the town of Tabernilla, be approved.

8. *Be it resolved* (under authority of section 7 of the Executive Order of the President of the United States dated March 30, 1907), That section 5 of the resolution adopted at the one hundred and thirty-sixth meeting of the Isthmian Canal Commission, prescribing rates, rules, and regulations for the use of water from public water systems in the Canal Zone, be, and the same is hereby, amended to read as follows:

SECTION 5. The Superintendent of Public Works shall have authority to place a meter on any water connection, without notice to the owner or lessee, and to render bill for the actual quantity of water consumed as shown by the meter at the rates prescribed in section 11 of these regulations in lieu of the fixed monthly charge for each faucet or fixture. Should the owner or lessee of any premises having water connection prefer to pay by meter rates for water consumed a meter will be installed by the Superintendent of Public Works.

All meters shall be installed by the Superintendent of Public Works under the same conditions as are prescribed in section 2 of these regulations for the installation of water or sewer pipe for private individuals. The cost of any meter installed under the authority given the Superintendent of Public Works, without the advance cash deposit provided for by section 2, together with the cost of installation, shall be a lien against the building or property where the water is used, and in default of its payment the same measures shall be taken for its collection as are provided in section 4 of these regulations for the collection of delinquent water bills.

All meters installed under the provisions of this section shall remain the property of the Canal Zone Government. Upon the termination of any water contract, and the return to the Canal Zone Government in good condition of the meter used in the building or property covered by such contract, there shall be refunded from the Canal Zone Treasury to the owner or lessee the cost of such meter paid by him.

Section 7 of the resolution is amended to read as follows:

SECTION 7. The Isthmian Canal Commission reserves the right to shut off the water in any main, upon notice, for the purpose of making extensions or repairs, or to shut off the water, without notice, whenever the exigencies of the service may require. Neither the Isthmian Canal Commission, the Government of the Canal Zone, or the United States, nor their agents, officers, or employees, shall be liable for damage caused by any failure to deliver water or for any interruption of the sewer service, whether such failure or interruption results from natural disturbances, the bursting of pipes or fixtures, or from any other cause; nor shall they be liable for any injury for damage resulting to any person or property, in any manner, from the cause of water mains or sewers.

The Isthmian Canal Commission also reserves the right to disapprove any application and to cancel any existing contract for the use of water for other than domestic purposes, in the event it should be necessary, in the opinion of the Commission, to limit the consumption of water at any place in the Canal Zone in order to provide an adequate supply of water for domestic purposes or properly to carry on the work of canal construction.

Section 11 of the resolution is amended to read as follows:

SECTION 11. The following rates shall be collected for the use of water drawn from the public mains in the Canal Zone through private connections:

For domestic purposes: Residences, boarding houses, and rooming houses, not more than three fixtures, for each connection, $1.50 per month.

For business purposes: General stores and shops, banks, bakeries, barber shops, and other similar establishments, not more than three fixtures, for each connection, $1.50 per month. Bars, canteens, and restaurants, not more than three fixtures, for each connection, $3 per month.

For each fixture in addition to those provided for above, 75 cents per month.

The above rates are subject to a discount of 33⅓ per cent if paid within fifteen days from date of bill.

For bottling establishments, laundries, stables, truck gardens, amusement parks, distilleries, hotels, and other similar establishments, meters shall be installed, under the provisions of section 5 of these regulations.

Water furnished through meters will be charged for at the following rates:

In the administrative districts of Cristobal, Gorgona, and Empire, 50 cents per thousand gallons, or any fraction thereof including and above 500 gallons, with a minimum rate per quarter of $5, for which 10,000 gallons may be used. A discount of 20 cents per thousand gallons will be allowed if payment is made within fifteen days from date of bill.

In the administrative district of Ancon 20 cents per thousand gallons, or any fraction thereof including and above 500 gallons, with a minimum rate per quarter of $2, for which 10,000 gallons may be used. A discount of 5 cents per thousand gallons will be allowed if payment is made within fifteen days from date of bill.

All charges herein specified are in United States currency.

Water furnished the Panama Railroad Company shall be charged for as provided in the special contract between the Railroad Company and the Isthmian Canal Commission.

Rates for the use of water for purposes not enumerated in this schedule, and for all special purposes, shall be fixed by the Superintendent of Public Works, with the approval of the head of the Department of Civil Administration.

This amendment shall be in effect on and after its approval by the Secretary of War; provided that bills for water furnished during the quarter ending February 28, 1909, shall be rendered at the revised rates prescribed herein.

9. The Chairman presented the case of Biscoe A. Kibbey, timekeeper in the Mechanical Division, who was granted leave of absence with pay for forty-two days, effective November 17, 1908, and who was prevented from reporting for duty within fifteen days after the expiration of his leave of absence because of disastrous floods in Costa Rica, which interrupted railroad communication.

As these floods occurred prior to the expiration of Mr. Kibbey's authorized leave, and as his return was delayed by causes manifestly

beyond his prevention, the Commission considered that his case warranted an exception to the rules under the resolution adopted at the one hundred and forty-seventh meeting, and it was ordered that payment be made to Mr. Kibbey for his authorized leave of absence.

10. Upon motion, it was—

Resolved, That effective April 1, 1909, the amounts on all pay rolls and accounts of the Isthmian Canal Commission shall be stated in United States currency, but nothing herein shall in any way affect the payment of laborers and others in the currency of the Republic of Panama, as heretofore.

There being no further business before the Commission, the meeting was adjourned at 3.50 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FIFTY-FIRST MEETING.

CULEBRA, CANAL ZONE, *March 26, 1909.*

The Commission met at the call of the Acting Chairman at 2.30 o'clock p. m.

Present: Commissioners Hodges (Acting Chairman), Gaillard, Sibert, Rousseau, Blackburn, and Gorgas.

Absent: Chairman Goethals.

The Commission elected the Chairman's Secretary, Mr. William H. May, as Acting Secretary of the Commission for the meeting.

The minutes of the one hundred and fiftieth meeting were read and approved.

1. The Acting Chairman read a letter addressed to the Washington Office by Hon. Frank P. Flint, United States Senator, in which he requested an expression of opinion by the Commission respecting the bill (S–9484)

directing the Secretary of War to establish and operate a line of steamers along the Pacific coast, and making provision therefor.

The Commission proceeded to consider the proposed measure and, after discussion, the following decision was reached—

That as the proposed legislation involves a national policy to be determined by Congress, the Isthmian Canal Commission does not feel justified in expressing any opinion in regard to it.

2. Upon motion, it was—

Resolved, That the Attorney for the Commission on the Isthmus be authorized and directed to file a petition in the Circuit Court of the Second Judicial Circuit of the Canal Zone praying for a decree establishing and confirming the title of the United States to a tract of land at or near Las Cascadas, in the Canal Zone, occupied and claimed by B. Burns Duncan; the petition to be filed under the provisions of section 272 of the Code of Civil Procedure of the Canal Zone.

3. The Commission formally confirmed its action of March 5, 1909, by letter ballot, permitting Frederick E. Waldron, Sanitary Inspector at Colon, to spend on the Isthmus the forty-two days' leave of absence granted him, effective March 7, 1909. It was ordered to be noted

that this action shall not have the force of a precedent, but shall be considered as a special case, for the reasons set forth in the letter addressed by the Chief Sanitary Officer to the Acting Chairman under date of March 4, 1909.

4. The Acting Chairman stated that Walter S. Standifer, Sanitary Inspector, E. E. Bailey, Powderman, and Alexander Green, a negro laborer, who were bitten by dogs suffering from hydrophobia, had been authorized to proceed to Washington, D. C., to take the necessary treatment for the prevention of rabies, the expenses necessarily incurred by them to be borne by the Commission. The action taken was approved.

5. Upon motion, it was—

Resolved, That Section I of the regulations governing the treatment of persons by the physicians in the hospitals of the Health Department of the Government of the Canal Zone, as adopted at the one hundred and twenty-fourth meeting held at Culebra April 24, 1907, be changed to read as follows:

I. *Canal Zone Charity Patients.*—Indigent sick persons, including insane and lepers, who are permanent residents of the Canal Zone, shall be admitted to such hospitals as may be designated for their treatment. The Chief Sanitary Officer and the Head of the Department of Civil Administration are authorized to agree upon a lump sum to be paid periodically from Canal Zone funds for their treatment, the sum to be based upon the rate of thirty cents a day.

6. Upon motion, it was—

Resolved, That the action of the Chairman in fixing the pay of the First Lieutenant of the Canal Zone Police Force at $275 per month, effective January 20, 1909, be approved.

7. The Acting Chairman presented statements showing the appointments, promotions, and other changes in the personnel:

(*a*) In the Department of Construction and Engineering for the weeks ending April 25; May 2, 9, 16, 23, and 30; June 6, 13, 20, and 27; July 4, 11, 18, and 25; August 1, 8, 15, 22, and 29; September 5, 12, 19, and 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 9, 16, 23, and 30, 1909.

(*b*) In the Department of Labor, Quarters, and Subsistence for the weeks ending April 25; May 2, 9, 16, 23, and 30; June 6, 13, 20, and 27; July 4, 11, 18, and 25; August 1, 1908.

(*c*) In the Department of Civil Administration for the weeks ending April 25; May 2, 9, 16, 23, and 30; June 6, 13, 20, and 27; July 4, 11, 18, and 25; August 1, 8, 15, 22, and 29; September 5, 12, 19, and 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 9, 16, 23, and 30, 1909.

(*d*) In the Department of Sanitation for the weeks ending April 25; May 2, 9, 16, 23, and 30; June 6, 13, 20, and 27; July 4, 11, 18, and 25; August 1, 8, 15, 22, and 29; September 5, 12, 19, and 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 9, 16, 23, and 30, 1909.

(*e*) In the Quartermaster's Department for the weeks ending July 18 and 25; August 1, 8, 15, 22, and 29; September 5, 12, 19, and 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 9, 16, 23, and 30, 1909.

(*f*) In the Subsistence Department for the weeks ending July 18 and 25; August 1, 8, 15, 22, and 29; September 5, 12, 19, and 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 9, 16, 23, and 30, 1909.

(*g*) In the Department of Disbursements for the weeks ending April 25; May 2, 9, 16, 23, and 30; June 6, 13, 20, and 27; July 4, 11, 18, and 25; August 1, 8, 15, 22, and 29; September 5, 12, 19, and 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 23, and 30, 1909.

(*h*) In the office of the Examiner of Accounts for the weeks ending April 25; May 2, 9, 16, 23, and 30; June 6, 13, 20, and 27; July 4, 11, 18, and 25; August 1, 8, 15, 22, and 29; September 5, 12, 19, and 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 9, 16, 23, and 30, 1909.

(*i*) In the Isthmian Canal Commission Band for the weeks ending June 20 and 27; July 11, 18, and 25; August 15; September 5, 12, and 19; October 10 and 24; November 14, 1908; January 16, 23, and 30, 1909.

(*j*) In the Panama Railroad Commissary Department for the weeks ending September 26; October 3, 10, 17, 24, and 31; November 7, 14, 21, and 28; December 5, 12, 19, and 26, 1908; January 2, 9, 16, 23 and 30, 1909.

All of which were ratified and approved.

8. The Acting Chairman presented a statement showing appointments, promotions, and other changes in the personnel of the Washington Office and Assistant Purchasing Agencies, covering the period from July 1, 1908, to December 31, 1908, inclusive; all of which were ratified and approved.

9. The Acting Chairman presented the case of Charles B. Burrer, Conductor in the Central Division, who was granted leave of absence with pay for forty-two days, effective September 30, 1908, and was prevented from reporting for duty within fifteen days after the expiration of his leave on account of the wreck of the steamship *Cartago*, on which he sailed.

After discussion, it was decided that Mr. Burrer's case was not one which warranted an exception to the regulations, the views of the Commission being expressed in the resolution adopted at the 147th meeting, as follows:

Employees are expected to report for duty on the expiration of their authorized leave—the additional fifteen days, return within which will preserve their right to pay during leave, being intended to cover all contingencies, and not to be considered additional leave without pay.

10. Upon motion, it was—

Resolved, That section 14 of the "Regulations Respecting the Sale of Intoxicating Liquors in the Canal Zone, Isthmus of Panama," adopted by the Commission at its one hundred and twenty-fifth meeting, held April 27, 1907, be changed to read as follows:

SEC. 14. No license shall be transferred from one person to another, or from one place to another, without the approval of the Head of the Department of Civil Administration and the Chairman of the Commission.

11. Upon motion, it was—

Resolved, That the action of the Acting Chairman and Chief Engineer in promulgating the following rule, effective February 24, 1909, concerning payments of all injured employees, whether engaged in hazardous employment or not, be approved, ratified, and confirmed:

An employee may be granted, in the discretion of the head of the department or division in which employed, with the approval of the Chairman, pay for time necessarily lost as a result of injuries received in the course of employment, not exceeding in the aggregate thirty days in any calendar year. The amount of compensation to be paid an employee for time lost on account of injury will be calculated on the basis of an eight-hour day for consecutive days, including Sundays and holidays. Leave on account of injury shall not be cumulative, and payment for same will be made on the first payroll following its authorization.

12. The following letter, addressed by the Acting Chairman to the Secretary of War, under date of February 23, 1909, was approved and ordered to be spread upon the minutes:

To the honorable, the SECRETARY OF WAR,
Washington, D. C.

SIR: Dr. H. R. Carter, of the United States Public Health and Marine-Hospital Service, who has been assigned to duty under the Isthmian Canal Commission since June 1, 1904, has submitted the inclosed request that he be relieved at the expiration of forty-two days' leave of absence, with pay, which will be due him August 1, 1909.

Doctor Carter's service on the Isthmus, as set forth in the accompanying letter from the Chief Sanitary Officer, entitles him to consideration, and his request for relief has the approval of the Commission.

Respectfully,

H. F. HODGES,
Acting Chairman.

13. Upon motion, it was—

Resolved, That confirming action of the Chairman and Chief Engineer of the Commission, the La Boca electric light and power plant, not including the portion of the plant on the Panama Railroad wharf at La Boca, be transferred to and become the property of the Isthmian Canal Commission, and the Cristobal machine shops of the Commission (which have been under lease to the Panama Railroad from the Isthmian Canal Commission) be transferred to and become the property of the Panama Railroad, effective July 1, 1908; and that in consideration thereof the Panama Railroad shall pay to the Isthmian Canal Commission $1,374.60, such amount being the excess in value of the Cristobal machine shops over La Boca electric light and power plant, as ascertained and reported on by a committee of five representatives of both the Commission and Panama Railroad, of which Mr. W. G. Comber was Chairman.

14. The Commission formally confirmed the following resolutions adopted by letter ballot of March 20, 1909:

Resolved, That the application submitted by Lee Fung Yuen, holder of a license for the sale of intoxicating liquors at Tabernilla, requesting permission

to remove his saloon from House No. 13, at Tabernilla, to House No. 5, at Tabernilla, be approved.

Resolved, That the application submitted by Peter Hansen, pursuant to the provisions of section 14 of the Regulations Respecting the Sale of Intoxicating Liquors in the Canal Zone, for authority to transfer to Lai Hing his license for the sale of intoxicating liquors at retail in the town of Empire, be approved; and

Resolved further, That Lai Hing be permitted to remove the saloon from the building in which it is now located to a building situated at the corner of Second Street and Seventh Avenue, facing the market, on Lot No. 123 of the Panama Railroad Company's plat of the town of Empire.

There being no further business before the Commission, the meeting was adjourned at 4.55 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FIFTY-SECOND MEETING.

CULEBRA, CANAL ZONE, *April 24, 1909.*

The Commission met at the call of the Chairman at 2.30 p. m.

Present: Commissioners Goethals (Chairman), Hodges, Gaillard, Sibert, Rousseau, Blackburn, Gorgas, and Secretary Bishop.

The minutes of the one hundred and fifty-first meeting were read and approved.

1. The Chairman read the following executive order, which was ordered to be spread upon the minutes:

By authority of the President, it is ordered:

That the limitations in section 1 of act No. 24, enacted by the Isthmian Canal Commission March 1, 1905, providing for the administration of certain estates are hereby waived, in so far as they prevent the Collector of Revenues taking possession of and administering upon the estate of John J. Korp, deceased, and the Collector of Revenues is hereby authorized and directed to take possession of and settle the estate of said John J. Korp, deceased, in accordance with the terms of said act.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 20, 1909.

2. The Chairman stated that Allen B. Tucker, Sanitary Inspector, who was bitten by a dog suffering from hydrophobia, had been authorized to proceed to Washington, D. C., to take the necessary treatment for the prevention of rabies, the expenses necessarily incurred by him to be borne by the Commission. The action taken was approved.

3. The Chairman presented a letter from the Chief Sanitary Officer, dated April 22, 1909, recommending that Miss Bertha M. Knudtson, nurse, be permitted to spend her leave on the Isthmus, and, in view of the special circumstances surrounding the case—

Upon motion, it was—

Resolved, That Miss Bertha M. Knudtson, nurse, be permitted to spend on the Isthmus the forty-two days' leave of absence, with pay, granted her effective May 23, 1909.

4. Upon motion, it was—

Resolved, That Paragraph 7 of the Building Regulations, as amended by the Commission at its one hundred and forty-third meeting, be further amended to read as follows:

7. Gutters may be placed on buildings if, in the opinion of the Chief Sanitary Officer, the same are deemed necessary.

5. Upon the recommendation of the Chief Sanitary Officer it was—

Resolved, That paragraph 2, section A, of the regulations governing the treatment of persons by the physicians and in the hospitals of the Department of Sanitation, as amended by the Commission at its one hundred and forty-sixth meeting, be further amended to read as follows:

A charge of $1 shall be made for each visit by a physician of the Health Department to an employee at his home or quarters, provided that if he is unable to go to the dispensary no charge shall be made for the first visit to such employee. Employees living with their families in Commission quarters who, in the opinion of the visiting physician, can not safely or conveniently report at the dispensary for treatment, shall, if they so desire, be treated at their homes without charge, except when, in the opinion of the District Physician, convalescence will be unduly prolonged, thereby causing an increased expenditure by the Commission in payment of sick or injury leave.

6. Whereas various tracts of land in the Canal Zone shown by public records and otherwise to be public land are claimed by private persons, and it is desirable that the title to them should be determined, it is, therefore,

Resolved, That the Attorney of the Commission on the Isthmus is authorized and directed to institute proper proceedings under the provisions of chapter 10 of the Code of Civil Procedure of the Canal Zone to inquire into and determine the title of the United States, or the government of the Canal Zone, to all lands in the Canal Zone claimed by the United States or the government of the Canal Zone by virtue of the grants contained in the treaty of February 26, 1904, between the Republic of Panama and the United States.

7. *Resolved*, That, in accordance with the provisions of section 4 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, adopted by the Commission April 27, 1907, and approved by the Secretary of War May 17, 1907, the towns and villages of the Canal Zone in which saloons and drinking places may be licensed for the year commencing July 1, 1909, and the areas in such towns and villages within which such saloons and drinking places may be located, be, and the same hereby are, fixed as follows:

Rio Grande.—On the west side of the old line of the Panama Railroad, facing the railroad, in line with the saloons at present licensed there.

Culebra.—On either side of the main street of the new town on the French Dump east of the Panama Railroad passenger station; also lots 11 to 19, inclusive, block 1; lots 12 to 20, inclusive, block 2; lots 1 to 9 inclusive, block 4; lots 2 to 10, inclusive, block 5, in West Culebra.

Empire.—The area bounded by Second avenue, Main street, Seventh avenue, and Front street.

Las Cascadas.—The section known as the new town, where private houses are now located, on the west side of the Panama Railroad.

Bas Obispo.—On the west side of the Panama Railroad, in line with the buildings in which three saloons are now located.

Matachin.—On the main street of the town, on the east side of the Panama Railroad, in line with the buildings in which saloons are now located.

Gorgona.—Area bounded by Second street, avenue "A," Fifth street, and Central avenue (or avenue "E"); but no saloons will be permitted to face on Central avenue.

Tabernilla.—On the front street of the town, east of the Panama Railroad, facing the railroad and running a distance of about 500 feet in a northerly direction from the building in which a saloon is at present located, north of the Panama Railroad passenger station.

Bohio.—On the main street of the town, on the west side of the Panama Railroad, fronting the railroad.

Gatun.—Blocks 7 and 8 of the new town laid out by the Panama Railroad Company.

All of the areas described are more particularly indicated on maps, numbered 1 to 11, inclusive, prepared in the office of the Chief Engineer of the Isthmian Canal Commission in December, 1908, and approved by the Head of the Department of Civil Administration January 27, 1909.

The designation of the areas hereinbefore made, however, shall not be construed as prohibiting the renewal of the licenses of dealers now engaged in the retail sale of liquor, under proper license, in any of the towns mentioned, outside of the areas designated—the places of business of all such dealers outside of the areas described being shown on the maps hereinbefore referred to.

Resolved, further, That the number of saloons to be located in each town within the area designated shall not be restricted, but that each reliable and responsible applicant shall be granted a license for the sale of liquor within any such described area, in conformity with the regulations, upon the payment of the necessary fee.

8. The Chairman submitted correspondence relating to the construction by the Pacific Division of a macadam road from Panama to Corozal and from Corozal to Pedro Miguel, at a total estimated cost of $118,200, on which a number of European contract laborers were kept at work under the terms of their contracts, pending opening of canal construction work to which they could be assigned. In view of the necessity of retaining these laborers to control the labor situation, and in view of the use of this road for canal construction purposes, it was—

Resolved, That payment for a portion of the cost of the Panama-Corozal and Corozal-Pedro Miguel roads be authorized from appropriations for the Department of Construction and Engineering not exceeding the sum of Forty Thousand Dollars ($40,000), such expense being deemed necessary to best promote the construction of the Panama Canal, the remainder of the cost to be defrayed from Canal Zone revenues.

9. The Chairman presented the report submitted by the committee appointed to consider all questions connected with the ownership, operation, and maintenance of the telegraph and telephone lines belonging to the Isthmian Canal Commission and the Panama Rail-

road Company. In accordance with the recommendation made by the committee, the following agreement between the Isthmian Canal Commission and the Panama Railroad Company was approved:

On and after May 1, 1909, the Panama Railroad Company will construct, maintain, and operate all telegraph and telephone lines and equipment that may be needed in the work of the said company and of the Isthmian Canal Commission; that said company will furnish to the Isthmian Canal Commission all such telegraph and telephone service and facilities as the Commission may require, and as may be requested by officers of the Commission with the approval of the Chairman and Chief Engineer.

In consideration of this agreement on the part of the Panama Railroad Company, the Commission agrees to pay to said company, monthly, an amount equal to seven and a half dollars for each telephone instrument used during the preceding month or fraction thereof, and the Commission further agrees that the Panama Railroad Company shall, on and after May 1, 1909, have the use, without charge, of the Commission's part of the telegraph and telephone plant and equipment then owned by the Commission, and shall not be liable for deterioration or necessary changes or destruction thereof; and that on the termination of this agreement the Railroad Company shall pay to the Commission the value at that time, then to be agreed on, of the Commission's interest on May 1, 1909, in the plant and equipment which is turned over to the company on said date.

The Commission also agrees to pay to the railroad company the sum of $2,400 per month in full payment for all services rendered by the company in maintaining extra operators, signalmen, and other employees made necessary by the operation of Isthmian Canal Commission trains over the railroad company's tracks. The Commission will pay telegraph operators in its own offices as heretofore.

This agreement shall continue in effect till revoked by either party on sixty days' notice, and it is understood that the rate per telephone per month, herein agreed to be paid by the Commission, and the amount of $2,400, shall be increased or diminished at the beginning of any month during the continuance of this agreement, when the chairman of the Isthmian Canal Commission shall determine such change is proper.

There being no further business before the Commission, the meeting was adjourned at 3.20 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FIFTY-THIRD MEETING.

CULEBRA, CANAL ZONE, *June 10, 1909.*

The Commission met at the call of the Chairman at 2.30 p. m.

Present: Commissioners Goethals (Chairman), Sibert, Rousseau, and Blackburn.

Absent: Commissioners Hodges, Gaillard, and Gorgas.

The Commission elected the Chairman's Secretary, Mr. William H. May, as Acting Secretary of the Commission for the meeting.

The minutes of the one hundred and fifty-second meeting were read and approved.

1. The Chairman read the following executive orders which were ordered to be spread upon the minutes:

CULEBRA, CANAL ZONE, *May 14, 1909.*

By authority of the President of the United States:

It is ordered, That the executive order of March 13, 1907, effective April 15, dividing the Canal Zone into four administrative districts, be amended so that the last sentence of the fourth paragraph will read: "Fines and fees shall be paid into the treasury of the Canal Zone."

J. M. DICKINSON,
Secretary of War.

By authority of the President, it is ordered:

That so much of Act No. 8, enacted by the Isthmian Canal Commission September 2, 1904, as provides that certain duties be performed by the Director of Hospitals, is hereby amended. The office of Director of Hospitals will be abolished on September 12, 1909, and the duties referred to will be performed on and after that date by any official of the Department of Sanitation of the Isthmian Canal Commission who may be designated.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., May 14, 1909.
(Culebra, C. Z.)

2. In deference to the wish expressed by a number of employees, the following order respecting the engraving of canal medal bars was adopted:

That canal medal bars be numbered consecutively to show the order in which each is earned, and that the years of service represented be also indicated thereon.

3. The Chairman presented a letter from the Acting Chief Sanitary Officer recommending that Alessandro Comba, an Italian laborer who lost both legs as the result of an accident incurred in line of duty September 21, 1907, be sent to New York City to be refitted with artificial limbs, and from thence deported to Marseilles, France. the necessary expenses incident to his travel, his maintenance in New York City, and the cost of artificial limbs to be borne by the Commission. The recommendation was approved.

4. The Chairman stated that Charles Perryman, a negro laborer, who was bitten by a dog suffering from hydrophobia, had been authorized to proceed to Washington, D. C., to take the necessary treatment for the prevention of rabies, the expenses necessarily incurred by him to be borne by the Commission. The action taken was approved.

5. Attention was called to the following provision in the act making appropriations for sundry civil expenses of the Government approved March 4, 1909:

> No part of the foregoing appropriations for the Isthmian Canal shall be applied to the payment of allowances for longevity service or layover days other than such as may have accumulated under existing orders of the Commission, prior to July first, nineteen hundred and nine.

It was thereupon

Resolved, That, effective July 1, 1909, the regulations governing longevity increases in pay to employees, adopted by the Commission at its one hundred and thirty-first meeting, be rescinded, and that, effective the same date, all existing authority for the allowance of layover time to employees be revoked.

Resolved further, That employees shall continue to draw the benefits of all increased allowances in pay for longevity service earned prior to July 1, 1909, and all layover time accumulated up to and including June 30, 1909, may be taken any time after that date on the Isthmus or added to annual vacation leave in accordance with existing rules.

6. The Chairman stated that as the needs of the service required an increase in the cold-storage capacity of the steamships *Colon* and *Panama*, he had authorized the Panama Railroad Company to have specifications prepared and undertake the work generally in accordance with the report submitted by Mr. Roland Allwork, Inspecting Engineer, the cost of the improvements being estimated at $25,000 for the *Colon* and $26,000 for the *Panama*.

Upon motion, it was

Resolved, That the action of the Chairman in authorizing the performance of this work, under the direction of the Panama Railroad Company, be approved, and the Disbursing Officers of the Commission are directed to pay the expense bills covering same when certified to be correct by the officers of the railroad company.

Resolved further, That the charter rate to be paid by the railroad company for the use of said steamships shall be increased by an amount equal to 4 per cent of the cost of said improvements, and that the charter party between the railroad company and the Com-

mission of November 10, 1905, be modified, and the modifications accepted by the railroad company accordingly.

7. Upon motion, it was

Resolved, That the action of the Chairman in entering into a contract, on behalf of the Commission, with the Republic of Panama, providing for the payment by Panama of $4,735.19 on account of street cleaning and garbage removal in the city of Colon from July 1 to December 31, 1908 (the total cost of the work being $9,235.19), and also providing for the payment by Panama of one-half the cost of the work beginning January 1, 1909, and continuing from year to year until the contract is canceled by either party upon notice of not less than thirty days before the expiration of an annual period, be ratified and confirmed.

8. The Chairman presented for consideration a letter from Mr. Frank S. Pascoe, in which he requested that he be granted the benefit of forty-two days leave of absence with pay. It appeared that Mr. Pascoe, who was employed in the Central Division as General Foreman, was entitled to forty-two days leave of absence August 16, 1908, but, as he did not enter upon the same within the four months' period it was forfeited under the rules. Mr. Pascoe submitted his resignation April 30, 1909, and the same was accepted. If he had remained in the service, he would have been entitled to forty-two days leave of absence with pay August 16, 1909.

In view of the fact that Mr. Pascoe's previous vacation leave was forfeited of his own accord and as he had no leave due at the time of his separation from the service, his request was disapproved.

9. Upon motion, it was—

Resolved, That the Head of the Department of Civil Administration be, and he is hereby, authorized to take the necessary steps for the issuance of licenses for the retail sale of liquor in the Canal Zone for the year beginning July 1, 1909, to the following applicants:

Rio Grande	Kwong Chong.
	Yuen Lee.
	Kwong Chong Chang.
	Lee Hop.
	Wing Wo Yuen.
	Kwong Hing Jan.
Culebra	Pedro Colomar.
	Hip Woo.
	Wo Chan.
	Wong You Kee.
	Sing On.
	Pow San Chong.
	Jean Murati.
	James McFarland and Roger J. Coyne.
Empire	Jas. Ferguson and Jas. Johnson.
	Mezele Gustave.
	Juan A. Martinez.
	Manuel Leones.
	Jose Sandi.
	Hop Hing.
	Chee Hing.
	Yuen Hing Chong.
	Charles R. Cantor.
	Lai Hing.
	Thomas Powers.
	H. F. Younge.

Las Cascadas	Lai Wo.
	Justiniano Richefort.
	Charles Bryant.
	Sam Lee.
Bas Obispo	Chee Chung Hing.
	J. J. Speer.
	Kwong Chong Kee.
	See Lee.
	Tuck Chong.
Matachin	Agapito Centeno.
	Jose C. M. de la Puerta.
Gorgona	Antonio Guerra.
	Isaac L. Maduro, jr.
	George Andrade.
	Jacob Kowalsky.
	John G. Kurtenacker.
	Tracy Smail.
	Alejandro Ramos.
Tabernilla	Lee Fung Yuen.
	Lam Hing Lung.
	Emelio Capurro.
	Chow Bing & Co.
	Henry Charles Wong.
Bohio	Wing Lee.
	Yee Shun.
	Hing Lee.
Gatun	Yee Chong.
	Prudencio San Martin.
	Lam Hing.
	Barney Duboski.
	John B. Schuetz.
	Yee Kee.

There being no further business before the Commission, the meeting was adjourned at 3.45 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FIFTY-FOURTH MEETING.

CULEBRA, CANAL ZONE, *August 6, 1909.*

The Commission met at the call of the Chairman at 2 p. m.

Present: Commissioners Goethals (Chairman), Hodges, Gaillard, Sibert, Rousseau, Blackburn, Gorgas, and Secretary Bishop.

The minutes of the one hundred and fifty-third meeting were read and approved.

1. The Chairman read the following executive orders, which were ordered to be spread upon the minutes:

EXECUTIVE ORDER.

Under authority vested in me by law, it is ordered:

Paragraph 6 of Executive Order No. 1002, dated January 6, 1909, is hereby amended as follows:

6. This order shall take effect not later than six months from the date of the promulgation thereof, except for the use of old French dump cars in use on the Panama Canal, including also the couplers of locomotives necessary to operate them, until July 1, 1910, after which date it shall likewise apply to this equipment.

WM. H. TAFT.

THE WHITE HOUSE, *June 11, 1909.*

EXECUTIVE ORDER.

By authority of the President of the United States, it is ordered:

That the authority of the Collector of Revenues under Act No. 24 of the laws of the Canal Zone, entitled "An Act Providing for an inexpensive method of Administration upon the Estates of Employees of the Government of the Canal Zone, or of the Isthmian Canal Commission, who are citizens of the United States and who die in the Canal Zone, Isthmus of Panama, leaving estates of small value upon which regular administration is deemed inadvisable," enacted by the Isthmian Canal Commission March 1, 1905, be, and the same is hereby, extended to include all estates of the character described in said act as amended by the executive order of June 22, 1907, which do not exceed in value the sum of one thousand dollars.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 21, 1909.

2. Upon motion, it was

Resolved, That authority is given for the expenditure of the funds in the Treasury of the Canal Zone on hand March 4, 1907, carried

under the appropriation heading "Public Improvements and Schools," for the construction, maintenance, and operation of public works and improvements and the maintenance of public schools in the Zone, at such time and in such manner as in the opinion of the Head of the Department of Civil Administration, with the approval of the Chairman, will best promote the public interests in the Canal Zone.

3. The Chairman presented a letter from the Chief Sanitary Officer, dated July 6, 1909, recommending that Miss Victoria Ray, nurse, be permitted to spend her leave on the Isthmus, and in view of the special circumstances surrounding the case,

Upon motion, it was

Resolved, That Miss Victoria Ray, nurse, be permitted to spend on the Isthmus the 42 days' leave of absence, with pay, granted her, effective July 31, 1909.

It was the further sense of the Commission that the conditions of employment, adopted at the one hundred and twenty-ninth meeting, requiring an employee to spend his leave of absence with pay in a country affording the necessary change of climate, should be modified in the case of an employee resigning after two years' satisfactory service, or an employee notified of his discharge at the expiration of his leave period. It was thereupon

Resolved, That hereafter an employee whose resignation is accepted to take effect at the expiration of a leave of absence with pay, and who shall have completed two years' satisfactory service on that date, may be paid for such leave, less seven days, regardless of where such leave may be spent.

Resolved further, That an employee who is notified that his employment will cease at the expiration of a leave of absence with pay, and who has rendered satisfactory service, may spend his leave wherever he elects and receive payment therefor.

4. Upon the recommendation of the Head of the Department of Civil Administration, it was

Resolved, That article 11 of the Police Rules and Regulations, approved by the Commission at its one hundred and forty-fifth meeting, be amended to read as follows:

ARTICLE 11. All police officers shall be required to serve at least two years in the police force, from the date of their enlistment, unless sooner discharged; and a police officer who voluntarily leaves the service or is discharged for cause before the expiration of two years from the date of his enlistment shall not be eligible for employment in any other Department of the Isthmian Canal Commission, except upon the approval of the Head of the Department of Civil Administration.

5. Upon the recommendation of the Head of the Department of Civil Administration it was

Resolved, That article 7 of the Rules and Regulations for the Government of the Canal Zone Police Force, approved at the one hundred

and forty-fifth meeting of the Commission, held at Culebra, July 18, 1908, be, and the same hereby is, amended to provide the following rates of pay for members of the police force:

Policemen, $40, $45, and $50 per month.

First-class policemen, $80, $90, $100, and $107.50 per month.

Corporals, one-half the number in the service, $122.50 per month and one-half $132.50 per month.

Sergeants, one-third of the number in the service, $142.50 per month, one-third $157.50 per month, and one-third $160 per month.

Second lieutenants, $175 per month.

First lieutenant, $275 per month.

Chief of Police, $333.33 per month.

The number of policemen and first-class policemen in the several ranks shall be fixed by the Head of the Department of Civil Administration, with the approval of the Chairman.

6. Upon motion, it was

Resolved, That article No. 103 and No. 104 of the Rules and Regulations of the Canal Zone Police Force, as amended by the Head of the Department of Civil Administration and approved by the Chairman on July 14, 1909, are approved.

7. The Chairman called attention to the resolutions adopted by the Commission at its one hundred and forty-sixth and one hundred and forty-ninth meetings, approving the agreement entered into by the Chairman for the payment to the Panama Railroad Company of the lump sum of $57,000 monthly, beginning August 1, 1908, for all freight transportation by rail furnished the Commission. The Chairman stated that, it having appeared from statistics that the monthly amount of freight transportation by rail actually furnished the Commission was considerably more than the lump sum authorized, he appointed a committee on May 19, 1909, consisting of Mr. E. J. Williams, Disbursing Officer, and Mr. W. W. Warwick, Examiner of Accounts, representing the Commission, and Mr. H. L. Stuntz, Local Auditor, representing the Panama Railroad Company, to reconsider this question. In accordance with the unanimous recommendation of this committee, the Chairman proposed to the Panama Railroad Company that it agree to accept the sum of $90,000 monthly in full payment for all freight transportation by rail furnished the Commission, the same to be effective August 1, 1909, and to be confirmed by resolution of the Commission and of the Board of Directors of the Panama Railroad Company. This proposition having been accepted by the General Manager of the Panama Railroad Company, on behalf of the Company, upon motion, it was

Resolved, That the action of the Chairman in entering into an agreement with the Panama Railroad Company for the payment of $90,000 monthly, beginning August 1, 1909, for all the freight transportation by rail provided for in the resolution of the Commission at its one hundred and forty-sixth and one hundred and forty-ninth

meetings, be, and the same is hereby, ratified and approved; and the said sum of $90,000 will be charged to the departments as follows:

Department of Construction and Engineering	$86,000
Department of Sanitation	1,000
Relocation of Panama Railroad	3,000

8. The Chairman laid before the Commission the Chief Sanitary Officer's recommendation that the screening of Commission buildings occupied by West Indian silver employees and their families be continued.

After discussion, upon motion, it was

Resolved, That the screening of married silver quarters will be discontinued.

9. Regulations and circulars in force at present regarding the rate of pay for overtime work were discussed, and, in line with uniformity and economy, it was, upon motion

Resolved, That, effective September 1, 1909, all hourly employees who are citizens of the United States will be paid time and one-half for work over the eight-hour day; all other hourly employees will be paid time and one-half for work over ten hours in one day. All hourly employees will be paid time and one-half for all work on Sundays and holidays.

10. The Chairman called attention to the fact that by resolution adopted by the Commission at its one hundred and eighteenth meeting American employees in skilled-trade occupations and paid on an hourly basis were allowed pay for certain holidays, in accordance with the practice prevailing in the Government service of the United States, with respect to employees similarly employed. By resolution adopted by the Commission at its one hundred and twenty-ninth meeting this gratuity pay was extended to all employees, including laborers, whose compensation is fixed on an hourly basis.

After discussion, in which it was pointed out that the gratuity pay to hourly men on the silver roll alone amounts to about $220,000 per annum, the following resolution was adopted:

Resolved, That hereafter hourly employees on the so-called silver rolls, who are not citizens of the United States, will not be allowed gratuity pay for holidays. The resolution of the Commission adopted at its one hundred and twenty-ninth meeting is amended accordingly.

11. The Chairman presented the case of Mr. J. de Lavandeyra, a clerk in the Department of Sanitation, who requested that he be granted vacation and sick-leave privileges. He was born in Habana, Cuba, in 1853; emigrated to the United States in 1859; acquired American citizenship at the age of 21, in 1874; continued to live in the United States until 1885, when he left for Europe and Argentine Republic, returning to Cuba during the American occupation from 1898 to 1904, and has been in the employ of the Commission since July 16, 1905.

After discussion, upon motion, it was

Resolved, That it is the sense of the Commission that the Chairman's interpretation of the resolution of the Commission adopted at its one hundred and twenty-ninth meeting is applicable to Mr. J. de Lavandeyra's case, to wit:

"Persons born in the Tropics are considered to be accustomed to a tropical climate, regardless of the fact that they have lived in a northern climate and away from their birthplace most of their lifetime."

12. The Chairman presented the case of William C. Healy, clerk in the Central Division, who was granted leave of absence for forty-two days on May 11, 1909, and was prevented from reporting for duty within fifteen days after the expiration of his leave, owing to the delayed departure from New York, change in route via Barbados, and detention in quarantine of the steamship *Cristobal*, on which he returned, reaching the Isthmus seven days later than schedule time.

After discussion, upon motion, it was

Resolved, That Mr. Healy's case was not one which warranted an exception to the regulations, the views of the Commission being expressed in the resolution adopted at the one hundred and forty-seventh meeting, as follows:

Employees are expected to report for duty on the expiration of their authorized leave—the additional fifteen days, return within which will preserve their right to pay during leave, being intended to cover all contingencies, and not to be considered additional leave without pay.

13. Upon motion, it was

Resolved, That family quarters may he held, with the approval of the Chairman, for the full period of any extended leave of absence with pay which may be granted to the employee to whom quarters are assigned; that family quarters may be held for fifty-six days during the absence either of the employee to whom they are assigned, or of his family, or of both simultaneously, provided that this privilege shall not be granted for more than one period of fifty-six days in any service year. If vacated the second time during the service year either by the employee, his family, or both simultaneously, quarters will be held for not more than forty-two days. This rule supersedes in part the rules governing the assignment of married quarters adopted by the Commission at its one hundred and thirtieth meeting.

There being no further business before the Commission, the meeting was adjourned at 4 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FIFTY-FIFTH MEETING.

ANCON, CANAL ZONE, *December 6, 1909.*

The Commission met at the call of the Chairman at 2 p. m.

Present: Commissioners Goethals (Chairman), Gaillard, Sibert, Rousseau, Gorgas, and Secretary Bishop.

Absent: Commissioner Hodges.

The minutes of the one hundred and fifty-fourth meeting were read and approved.

The Chairman announced that Commissioner Blackburn had submitted his resignation to the President, and that the same had been accepted effective December 4, 1909.

1. The Chairman read the following executive orders which were ordered to be spread upon the minutes.

EXECUTIVE ORDER.

Under authority vested in me by law, it is ordered: That section 149 of Act No. 14 of the Laws of the Canal Zone is amended to read as follows:

"SEC. 149. Every person guilty of murder in the first degree shall suffer death, or, if there be extenuating circumstances, confinement in the penitentiary for life; and every person guilty of murder in the second degree is punishable by imprisonment in the penitentiary not less than ten years."

WM. H. TAFT.

THE WHITE HOUSE, *July 30, 1909.*

(No. 1115.)

EXECUTIVE ORDER.

Under authority vested in me by law, it is ordered: That every convict who is now or who may hereafter be confined in the Canal Zone penitentiary under sentence for a definite time and who shall have no infraction of the rules and regulations of the penitentiary or laws of the Canal Zone recorded against him, and who performs the duties assigned to him in a faithful, orderly, and peaceable manner shall be entitled to the diminution of time from his sentence as follows: For the first year, one month; for the second year, two months; for the third year, three months; for the fourth year, four months; for the fifth year, five months; for the sixth and each succeeding year, six months; and pro rata for any part of a year where the sentence is for more or less than a year.

In case any convict shall be guilty of the violation of any of the rules or regulations of the penitentiary or laws of the Canal Zone, as above provided, and has become entitled to any diminution of his sentence by the provisions aforesaid, he shall for the first offense forfeit, if he has made so much, two days; for the second offense, four days; for the third offense, eight days; for the fourth offense, sixteen days; and in addition thereto whatever number of days, more than one, that he is in punishment, shall also be forfeited; for more than four offenses, the warden shall have power to deprive him, at his discretion, of any portion or all of the diminution of sentence that he may have earned, but not less than as provided for the fourth offense; *Provided*, That the Chief Executive of the Canal Zone shall have the power to restore to any convict any diminution of sentence forfeited by him.

Whenever any convict is or has been committed under several convictions, with separate sentences, they shall be construed as one continuous sentence, in the granting or forfeiting of diminution of sentence.

The warden, in computing the diminution of sentence of any convict now in the penitentiary, shall allow him for the unexpired portion of his sentence, the same as if this order had been in effect at the commencement of his sentence, but shall not allow him for the portion of his sentence already served.

WM. H. TAFT.

THE WHITE HOUSE, *July 30, 1909.*

(No. 1116.)

EXECUTIVE ORDER.

Under authority vested in me by law it is ordered:

Section 454 of Act No. 14 of the Laws of the Canal Zone is amended to read as follows:

"SEC. 454. Permits to hunt with firearms upon the public lands of the Canal Zone or on the lands of private ownership, but without prejudice to the rights of the owners, may be issued by the Treasurer of the Canal Zone upon application made to him. But every person who shall hunt at night between the hours of sunset and sunrise with the aid or use of a lantern, torch, bonfire, or other artificial light, or who shall hunt by the use of a gun or other firearm intended to be discharged by an animal or bird, by means of a spring or trap or other similar mechanical device, shall be guilty of a misdemeanor."

WM. H. TAFT.

THE WHITE HOUSE, *September 8, 1909.*

(No. 1126.)

EXECUTIVE ORDER.

Under authority vested in me by law it is ordered:

1. Chapter II of Title XII of Act No. 14 of the Laws of the Canal Zone is amended by the addition thereto of the following section:

"SEC. 210½. Every person who shall torture, cruelly beat, abuse, willfully maltreat, or unnecessarily deprive of liberty any child under the age of eighteen, and every person having custody or possession of a child under the age of fourteen who shall expose it in any highway, street, field, house or other place with intent to abandon it is guilty of a misdemeanor."

2. Section 423, Chapter XIV, Title XVI, of Act. No. 14 of the Laws of the Canal Zone is amended to read as follows:

"SEC. 423. Every person who shall overdrive, overload, torture, cruelly beat, or unjustifiably injure, maim, mutilate, or kill, or deprive of necessary food, drink, or shelter, or work when unfit for labor, any animal, whether wild or tame and whether belonging to himself or to another, or who, being the owner or possessor or having charge or custody of a maimed, diseased, disabled, or infirm animal, shall abandon it, or leave it to die in a street, road, or other place, is guilty of a misdemeanor. Any police officer may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable persons called by him to view the same in his presence, to be injured or diseased past recovery for any useful purpose."

3. Any duly appointed agent of a regularly organized humane society in the Canal Zone may be commissioned by the proper authorities of the Canal Zone as a special police officer for the enforcement of the provisions of this order and of any other law, regulation, or order in force in the Canal Zone for the prevention of cruelty to children and animals, and when so commissioned shall be vested for that purpose with all the authority of a member of the Canal Zone police force.

WM. H. TAFT.

THE WHITE HOUSE, *October 2, 1909.*

(No. 1130.)

EXECUTIVE ORDER.

Under authority vested in me by law, it is ordered:

SEC. 1. The Chairman of the Isthmian Canal Commission shall appoint three persons who shall constitute a "Board of Local Inspectors." The members of this Board shall be employees of the Isthmian Canal Commission or the Panama Railroad Company, or both, and shall perform the duties hereinafter specified without additional compensation.

SEC. 2. The Board of Local Inspectors shall recommend the classification of masters, mates, engineers, and pilots of steam vessels propelled upon the waters within the jurisdiction of the Canal Zone. Upon such recommendation, in writing, the Head of the Department of Civil Administration, Isthmian Canal Commission, shall issue licenses.

SEC. 3. Whenever any person applies to be licensed as master, mate, engineer, or pilot of any steam vessel propelled upon the waters within the jurisdiction of the Canal Zone, the Board of Local Inspectors shall make diligent inquiry as to his character, and shall carefully examine the applicant, as well as the proof he presents in support of his claim; and if, upon full consideration, they are satisfied that his character, habits of life, knowledge, and experience in the duties of master, mate, engineer, or pilot are all such as to authorize the belief that he is a suitable and safe person to be intrusted with the powers and duties of such station, they shall recommend that a license be issued to him, authorizing him to be employed on any vessel propelled upon the waters within the jurisdiction of the Canal Zone, in such duties, for the term of three (3) years; but such license shall be suspended or revoked upon satisfactory proof of negligence, unskillfulness, or intemperance. The Board of Local Inspectors will recommend the assignment of mates or engineers to an appropriate class designated "Chief," "1st," or "2nd."

SEC. 4. The Isthmian Canal Commission shall not engage for permanent employment upon any of its vessels propelled by steam any master, mate, or engineer who shall not be duly licensed by the United States, or the Government of the Canal

Zone, and who is not a citizen of the United States, unless an American citizen is not available; and all officers at present employed who do not hold United States licenses will be required to qualify before the Board.

SEC. 5. The Government of the Canal Zone may issue licenses as masters, mates, engineers, or pilots to persons who are not citizens of the United States.

SEC. 6. The Executive Order of the Governor of the Canal Zone, dated December 8, 1905, is amended by this order only in so far as it provides for the examination and licensing of pilots.

WM. H. TAFT.

THE WHITE HOUSE, *October 2, 1909.*

(No. 1131.)

EXECUTIVE ORDER.

Under authority vested in me by law it is ordered:

That no operator, train dispatcher, or other employee of the Panama Railroad Company who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this order may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week.

This order shall be in effect on and after January 1, 1910.

WM. H. TAFT.

THE WHITE HOUSE, *November 23, 1909.*

(No. 1140.)

EXECUTIVE ORDER.

Any person who, as principal or agent, shall, with the intent or for the purpose of recruiting on the Canal Zone mechanics, laborers, artisans, or any charactor of workmen to go into a foreign country, induce or attempt to induce any person who is working for or is under contract to work for, or who desires to work for, the Isthmian Canal Commission or the Panama Railroad Company, or a contractor of either or both of them, to cease to work for, or break any such contract to work for, or not to begin work for, the Isthmian Canal Commission or the Panama Railroad Company, or a contractor of either or both of them, or to leave the Canal Zone with a view or for the purpose of working in a foreign country, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars ($1,000) or by imprisonment in the common jail not to exceed six (6) months, or by both such fine and imprisonment, at the discretion of the court.

WM. H. TAFT.

THE WHITE HOUSE, *November 23, 1909.*

(No. 1141.)

2. The Chairman read the following letter from the Secretary of War:

WAR DEPARTMENT,
(AT BELLE MEADE, NASHVILLE, TENN.),
September 25, 1909.

SIR: You are hereby directed, effective January 1, 1910, to allow American citizens who are hourly employees on the gold roll of the Isthmian Canal Commission two weeks leave per year on pay, computed at the rate of eight hours per day, and at the same pay per hour as they are receiving respectively at the time leave is taken.

Such leave may be taken each year or accumulated to an amount not exceeding six weeks.

The same length of service will be required in earning this leave as is now prescribed by the regulations of the Commission for monthly employees.

Respectfully,
J. M. DICKINSON,
Secretary of War.

Lieut. Col. GEORGE W. GOETHALS,
Chairman and Chief Engineer, Isthmian Canal Commission,
Culebra, Canal Zone.

The Chairman stated he would issue a proper circular for the information and guidance of all concerned.

3. The Commission formally confirmed its action of October 14, 1909, by letter ballot, authorizing Capt. G. M. Hoffman, Assistant Engineer, Atlantic Division, who is an officer of the Corps of Engineers of the United States Army, to enter October 19, 1909, upon forty-two days' leave of absence with pay for his service year beginning January 6, 1909. It appeared that Captain Hoffman, being under orders to proceed to New York for examination for promotion, desired to take advantage of his regular leave of absence with pay, the time spent in attending the examination to count as part thereof, and it was considered to the interest of the Commission to grant him authority to take his leave before completing ten months' service, in order that it might not be deprived of his services for the time spent on this duty in addition to his regular leave.

4. Under a resolution adopted by the Commission at its one hundred and thirty-seventh meeting, minutes of meetings are required to be bound semiannually, and attention being called to the fact that the minutes of meetings held by the Commission for the first six months of the present year cover but 20 printed pages, it was

Resolved, That beginning January 1, 1909, the minutes of the Isthmian Canal Commission shall be bound annually.

5. The Chairman stated that in view of the report of a board appointed by him for the purpose of making an estimate of the actual cost to the Panama Railroad Company of handling all Commission

freight, he had, on November 30, 1909, formally proposed to the Panama Railroad Company that it accept the sum of $47,000 monthly in full payment for all freight transportation by rail furnished the Commission, the same to be effective December 1, 1909, and to be confirmed by resolution of the Commission and of the Board of Directors of the Railroad Company. This proposition having been accepted by the General Superintendent of the Panama Railroad Company on behalf of the Company, it was

Resolved, That the agreement entered into by the Chairman for the payment of $47,000 monthly, beginning December 1, 1909, for all freight transportation by rail furnished the Isthmian Canal Commission by the Panama Railroad Company be, and the same is, hereby ratified and approved, and the sum of $47,000 monthly will be charged to the departments as follows:

Construction and engineering	$44,400
Sanitation	200
Relocation Panama Railroad	2,400
	47,000

6. The Chairman was authorized to have a sufficient number of pews manufactured to accommodate 250 persons, the same to be loaned to the Baptist Church at Gatun, for use in the church building, but to remain the property of the Commission.

7. The Commission formally confirmed the following resolution, adopted by letter ballot of August 30, 1909:

Resolved, That the license issued to H. F. Younge for the sale of intoxicating liquors in the town of Empire for the period July 1, 1909, to June 30, 1910, be, and the same hereby is, revoked, to be effective September 12, 1909, and the Treasurer of the Canal Zone is authorized to refund to H. F. Younge the license fee for the unexpired portion of the period for which the fee has been paid.

8. The Chairman presented a statement showing appointments, promotions, and other changes in the personnel of the Washington office and assistant purchasing agencies, covering the period from January 1, 1909, to June 30, 1909, inclusive; all of which were ratified and approved.

9. The Chairman presented statements showing the appointments, promotions, and other changes in the personnel:

(*a*) In the Department of Construction and Engineering for the weeks ending February 6, 13, 20, and 27; March 6, 13, 20, and 27; April 3, 10, 17, and 24; May 1, 8, 15, 22, and 29; June 5, 12, 19, and 26; July 3, 10, 17, 24, and 31; August 7, 14, 21, and 28; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, 20, and 27, 1909.

(*b*) In the Department of Civil Administration for the weeks ending February 6, 13, 20, and 27; March 6, 13, 20, and 27; April 3, 10, 17, and 24; May 1, 8, 15, 22, and 29; June 5, 12, 19, and 26; July 3, 10, 17, 24, and 31; August 7, 14, 21, and 28; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, 20, and 27, 1909.

(*c*) In the Department of Sanitation for the weeks ending February 6, 13, 20, and 27; March 6, 13, 20, and 27; April 3, 10, 17, and 24; May 1, 8, 15, 22, and 29; June 5, 12, 19, and 26; July 3, 10, 17, 24, and 31; August 7, 14, 21, and 28; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, 20, and 27, 1909.

(*d*) In the Quartermaster's Department for the weeks ending February 6, 13, 20, and 27; March 6, 13, 20, and 27; April 3, 10, 17, and 24; May 1, 8, 15, 22, and 29; June 5, 12, 19, and 26; July 3, 10, 17, 24, and 31; August 7, 14, 21, and 28; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, 20, and 27, 1909.

(*e*) In the Subsistence Department for the weeks ending February 6, 13, 20, and 27; March 6, 13, 20, and 27; April 3, 17, and 24; May 1, 8, 15, 22, and 29; June 5, 12, 19, and 26; July 3, 10, 17, 24, and 31; August 7, 14, 21, and 28; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, 20, and 27, 1909.

(*f*) In the Department of Disbursements for the weeks ending February 6, 13, and 20; March 6, 13, 20, and 27; April 3, 10, and 24; May 1, 8, 15, and 22; June 12 and 19; July 3, 10, 24, and 31; August 7, 14, and 21; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, and 20, 1909.

(*g*) In the Department of Examination of Accounts for the weeks ending February 6, 13, 20, and 27; March 6, 13, 20, and 27; April 3, 10, 17, and 24; May 1, 8, 15, 22, and 29; June 5, 12, 19, and 26; July 3, 10, 17, 24, and 31; August 7, 14, 21, and 28; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, 20, and 27, 1909.

(*h*) In the Isthmian Canal Commission Band for the weeks ending February 27; March 20; April 3, 10, and 24; May 1 and 29; June 19; July 3 and 31; August 14; September 4, 11, and 25; October 23; November 27, 1909.

(*i*) In the Panama Railroad Commissary Department for the weeks ending February 6, 13, 20, and 27; March 6, 13, 20, and 27; April 3, 10, 17, and 24; May 1, 8, 15, 22, and 29; June 5, 12, 19, and 26; July 3, 10, 17, 24, and 31; August 7, 14, 21, and 28; September 4, 11, 18, and 25; October 2, 9, 16, 23, and 30; November 6, 13, 20, and 27, 1909.

10. Upon recommendation of the Acting Head of Department of Civil Administration, it was

Resolved, That the classes and rates of pay for teachers in the Canal Zone schools, as fixed by the Commission at its one hundred and twenty-ninth meeting, be amended by the addition of "Teachers, Class IV," to be paid at the rate of $50 United States currency per month during the school term: *Provided*, That principals of schools, where there are not less than three teachers, high-school teachers, and substitute teachers, only, shall be eligible for appointment hereafter to "Teacher, Class I."

Resolved further, That the maximum salary of the principal of the Cristobal High School shall be fixed, effective January 1, 1910, at $125 United States currency per month during the school term.

11. Paragraph 4 of the building regulations of the Canal Zone was amended by the following addition:

Dwellings not within the limits of surveyed and platted town sites in the Canal Zone will not be permitted to be constructed within less than 200 feet of each other, and all such dwellings shall comply with existing sanitary regulations for buildings of this character. They shall likewise comply with the regulations prohibiting the erection of native houses closer than 1,000 feet to Isthmian Canal Commission buildings.

12. The Commission formally recommended for approval the following draft of an executive order, respecting assessments for the cost of public improvements in the Canal Zone:

The Isthmian Canal Commission may, from the necessities of sanitation, cause such improvements to be made in the Canal Zone as the construction of streets, roads, and trails, water and sewer systems, and similar sanitary improvements, and may charge such proportion of the cost thereof, not to exceed one-half, to the owners of the property adjacent to, abutting upon, or within the district in which such improvement is necessary and has been made, as may be decided by the Isthmian Canal Commission to be just and equitable.

Due notice of all such improvements shall be given to persons affected thereby, together with the estimated assessment, in accordance with rules to be issued by the Isthmian Canal Commission. Any unpaid assessment shall become a lien upon the property affected thereby collectible as provided by law.

There being no further business before the Commission, the meeting was adjourned at 3 o'clock p. m., subject to the call of the Chairman.

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